

House File 636

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1 3 AN ACT
1 4 RELATING TO LEGISLATIVE BRANCH CONSOLIDATION OF FUNCTIONS
1 5 BY COMBINING THE LEGISLATIVE SERVICE BUREAU, LEGISLATIVE
1 6 FISCAL BUREAU, AND LEGISLATIVE COMPUTER SUPPORT BUREAU INTO A
1 7 SINGLE CENTRAL LEGISLATIVE STAFF AGENCY, PROVIDING FOR
1 8 LEGISLATIVE PUBLICATIONS PROCEDURES, MODIFYING THE SALES TAX
1 9 EXEMPTION FOR ITEMS SOLD OR SERVICES PROVIDED BY THE NEW
1 10 AGENCY, INCLUDING RELATED MATTERS, AND PROVIDING AN EFFECTIVE
1 11 DATE.

1 12
1 13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 14
1 15 Section 1. NEW SECTION. 2E.1 LEGISLATIVE SERVICES AGENCY
1 16 CREATED == SERVICES == LEGISLATIVE PRIVILEGES ==
1 17 NONPARTISANSHIP AND NONADVOCACY.

1 18 1. A legislative services agency is created as a
1 19 nonpartisan, central legislative staff agency under the
1 20 direction and control of the legislative council. The agency
1 21 shall cooperate with and serve all members of the general
1 22 assembly, the legislative council, and committees of the
1 23 general assembly.

1 24 2. The legislative services agency shall provide the
1 25 following services:

1 26 a. Legal and fiscal analysis, including legal drafting
1 27 services, fiscal analysis of legislation, and state
1 28 expenditure, revenue, and budget review.

1 29 b. State government oversight and performance evaluation.

1 30 c. Staffing of standing committees, revenue and budget
1 31 committees, statutory committees, and interim study
1 32 committees, and any subcommittees of such committees,
1 33 including the provision of legal and fiscal analysis to
1 34 committees and subcommittees.

1 35 d. Publication of the official legal publications of the
2 1 state, including but not limited to the Iowa Code, Iowa Code
2 2 Supplement, Iowa Acts, Iowa court rules, Iowa administrative
2 3 bulletin, and Iowa administrative code as provided in chapter
2 4 2B.

2 5 e. Operation and maintenance of the legislative computer
2 6 systems used by the senate, house of representatives, and the
2 7 central legislative staff agencies.

2 8 f. Provision of legislative information to the public,
2 9 provision of library information, management of legislative
2 10 visitor protocol services, and provision of capitol tour guide
2 11 services.

2 12 g. Other functions as assigned to the legislative services
2 13 agency by the legislative council or the general assembly.

2 14 3. The legislative services agency shall provide services
2 15 to the general assembly in such a manner as to preserve the
2 16 authority of the senate and the house of representatives to
2 17 determine their own rules of proceedings and to exercise all
2 18 other powers necessary for a separate branch of the general
2 19 assembly of a free and independent state, and to protect the
2 20 legislative privileges of the members and employees of the
2 21 general assembly. In providing services to the general
2 22 assembly, the legislative services agency shall adhere to all
2 23 applicable policies of the general assembly and its
2 24 constituent bodies relating to public access to legislative
2 25 information and related confidentiality restrictions.

2 26 4. The director and all other employees of the legislative
2 27 services agency shall not participate in partisan political
2 28 activities and shall not be identified as advocates or
2 29 opponents of issues subject to legislative debate except as
2 30 otherwise provided by law or by the legislative council.

2 31 Sec. 2. NEW SECTION. 2E.2 DIRECTOR == DUTIES.

2 32 1. The administrative head of the legislative services
2 33 agency shall be the director appointed by the legislative
2 34 council as provided in section 2.42. The salary of the
2 35 director shall be set by the legislative council.

3 1 2. The director shall do all of the following:

3 2 a. Employ persons with expertise to perform the legal,
3 3 fiscal, technical, and other functions which are required to
3 4 be performed by the legislative services agency by this
3 5 chapter or are assigned to the legislative services agency by

3 6 the legislative council or the general assembly.
3 7 b. Supervise all employees of the legislative services
3 8 agency, including the legal counsel designated to provide
3 9 legal assistance to the administrative rules review committee,
3 10 and supervise any outside service providers retained by the
3 11 legislative services agency.
3 12 c. Supervise all expenditures of the agency.
3 13 d. Supervise the legal and fiscal analysis and legal
3 14 publication functions of the agency.
3 15 e. Supervise the government oversight and program
3 16 evaluation functions of the agency.
3 17 f. Supervise the committee staffing functions of the
3 18 agency.
3 19 g. Supervise the computer systems services functions of
3 20 the agency.
3 21 h. Supervise the legislative and library information,
3 22 legislative visitor protocol, and capitol tour guide functions
3 23 of the agency.
3 24 i. Perform other functions as assigned to the director by
3 25 the legislative council or the general assembly.

3 26 Sec. 3. NEW SECTION. 2E.3 INFORMATION ACCESS ==
3 27 CONFIDENTIALITY == SUBPOENAS.

3 28 1. a. The director and agents and employees of the
3 29 legislative services agency, with respect to the agency's
3 30 provision of services relating to fiscal analysis of
3 31 legislation, state expenditure, revenue, and budget review,
3 32 state government oversight and performance evaluation, and
3 33 staffing of revenue and budget committees, shall at all times
3 34 have access to all agencies, offices, boards, and commissions
3 35 of the state and its political subdivisions and private
4 1 organizations providing services to individuals under
4 2 contracts with state agencies, offices, boards, or commissions
4 3 and to the information, records, instrumentalities, and
4 4 properties used in the performance of such entities' statutory
4 5 duties or contractual arrangements. All such entities and the
4 6 described private organizations shall cooperate with the
4 7 director, and shall make available to the director such
4 8 information, records, instrumentalities, and properties upon
4 9 request.

4 10 b. If the information sought by the legislative services
4 11 agency, with respect to the agency's provision of services
4 12 described in paragraph "a", is required by law to be kept
4 13 confidential, the agency shall have access to the information,
4 14 but shall maintain the confidentiality of the information and
4 15 is subject to the same penalties as the lawful custodian of
4 16 the information for dissemination of the information.
4 17 However, the legislative services agency shall not have access
4 18 to tax return information except for individual income tax
4 19 sample data as provided in section 422.72, subsection 1.

4 20 c. The director may issue subpoenas for production of any
4 21 information, records, instrumentalities, or properties to
4 22 which the director is authorized to have access under
4 23 paragraph "a". If any person subpoenaed refuses to produce
4 24 the information, records, instrumentalities, or properties,
4 25 the director may apply to the district court having
4 26 jurisdiction over that person for the enforcement of the
4 27 subpoena.

4 28 2. The director and agents and employees of the
4 29 legislative services agency, with respect to the agency's
4 30 provision of services relating to legal analysis, drafting,
4 31 and publications, staffing of subject matter standing and
4 32 statutory committees, and provision of legislative information
4 33 to the public, may call upon any agency, office, board, or
4 34 commission of the state or any of its political subdivisions
4 35 or private organizations providing services to individuals
5 1 under contracts with a state agency, office, board, or
5 2 commission for such information and assistance as may be
5 3 needed in the provision of services described in this
5 4 subsection. Such information and assistance shall be
5 5 furnished within the resources and authority of such agency,
5 6 office, board, or commission. This requirement of furnishing
5 7 such information and assistance shall not be construed to
5 8 require the production or opening of any public records which
5 9 are required by law to be kept private or confidential.

5 10 3. The director, an agent or former agent, and an employee
5 11 or former employee of the legislative services agency shall
5 12 not be compelled to give testimony or to appear and produce
5 13 documentary evidence in a judicial or quasi-judicial
5 14 proceeding if the testimony or documentary evidence sought
5 15 relates to a legislative duty or act concerning the
5 16 consideration or passage or rejection of proposed legislation

5 17 performed by the director, agent, or employee. An order or
5 18 subpoena purporting to compel testimony or the production of
5 19 documentary evidence protected under this subsection is
5 20 unenforceable.

5 21 Sec. 4. NEW SECTION. 2E.4 SPECIFIC SERVICES == PUBLIC
5 22 POLICY RECOMMENDATIONS RESTRICTED.

5 23 The legislative services agency shall provide the following
5 24 specific services:

5 25 1. Preparation of legal and legislative analysis of any
5 26 governmental matter upon the proper request of members and
5 27 committees of the general assembly. Such analysis shall not
5 28 contain any public policy recommendations. Such legal
5 29 analysis shall be provided through the exercise of an
5 30 attorney-employee's independent, professional judgment.

5 31 2. Drafting and preparation of legislation, including
5 32 bills, resolutions, and amendments, for committees and
5 33 individual members of the general assembly; proposed bills and
5 34 joint resolutions for state agencies and the governor in
5 35 accordance with section 2.16; and bills embodying a plan of
6 1 legislative and congressional redistricting prepared in
6 2 accordance with chapter 42.

6 3 3. Fiscal analysis of legislation, and state expenditure,
6 4 revenue, and budget review. The director of the agency or the
6 5 director's designee may make recommendations to the general
6 6 assembly concerning the state's expenditures and revenues.

6 7 4. Attendance at the budget hearings required by section
6 8 8.26. The director of the agency may offer explanations or
6 9 suggestions and make inquiries with respect to such budget
6 10 hearings.

6 11 5. Assistance to standing committees and members of the
6 12 general assembly in attaching fiscal notes to bills and
6 13 resolutions as provided by the rules of the general assembly.

6 14 6. Performance of the duties pertaining to the preparation
6 15 of correctional impact statements as provided in section 2.56.

6 16 7. Furnishing information, acting in an advisory capacity,
6 17 providing staffing services, and reporting to standing,
6 18 statutory, and interim committees of the general assembly.

6 19 8. Provision of staffing services including but not
6 20 limited to preparation of legal and legislative analysis for
6 21 the administrative rules review committee.

6 22 9. Preparation of legal and legislative analysis for the
6 23 legislative council with respect to rules and forms submitted
6 24 by the supreme court to the legislative council pursuant to
6 25 section 602.4202.

6 26 10. Review and oversight of state program operations and
6 27 program evaluation of state agencies, including compliance,
6 28 efficiency, and effectiveness determinations, as required by
6 29 section 2E.7.

6 30 11. Provision of legislative computer systems services to
6 31 the senate, house of representatives, and central legislative
6 32 staff agencies, and provision of advice regarding legislative
6 33 computer systems services, needs, capabilities, and uses to
6 34 the legislative council and the general assembly.

6 35 Sec. 5. NEW SECTION. 2E.5 OFFICIAL LEGAL AND OTHER
7 1 PUBLICATIONS == PROCUREMENTS.

7 2 1. The legislative services agency shall publish the
7 3 official legal publications of the state as provided in
7 4 chapter 2B. The legislative services agency shall have legal
7 5 custody of the publications and shall provide for the
7 6 warehousing, sale, and distribution of the publications. The
7 7 legislative services agency shall retain or cause to be
7 8 retained a number of old editions of the publications but may
7 9 otherwise distribute or cause to be distributed old editions
7 10 of the publications to any person upon payment by the person
7 11 of any distribution costs.

7 12 2. The printed versions of the publications listed in this
7 13 subsection shall be sold at a price to be established by the
7 14 legislative services agency. In determining the prices, the
7 15 legislative services agency shall consider the costs of
7 16 printing, binding, distribution, and paper stock, compilation
7 17 and editing labor costs, and any other associated costs. The
7 18 legislative services agency shall also consider the number of
7 19 volumes or units to be printed, sold, and distributed in the
7 20 determination of the prices.

7 21 a. The Iowa Code.
7 22 b. The Iowa Code Supplement.
7 23 c. The Iowa Acts.
7 24 d. The Iowa court rules.

7 25 e. The Iowa administrative code.

7 26 f. The Iowa administrative bulletin.

7 27 3. The legislative services agency shall compile for

7 28 publication and distribute in odd-numbered years the Iowa
7 29 official register. The register shall contain historical,
7 30 political, and other information and statistics of general
7 31 value but shall not contain information or statistics of a
7 32 partisan character. The print and electronic versions of the
7 33 register need not contain the same information and statistics
7 34 but shall be published to provide the greatest access to such
7 35 information and statistics at the most reasonable cost as
8 1 determined by the legislative services agency. The different
8 2 versions of the register may be distributed free of charge,
8 3 may be distributed free of charge except for postage and
8 4 handling charges, or may be sold at a price to be established
8 5 by the legislative services agency.

8 6 4. The legislative services agency may establish policies
8 7 for the production, editing, distribution, and pricing of
8 8 electronic publications containing information stored by the
8 9 legislative branch in an electronic format, including
8 10 information contained in the printed publications listed in
8 11 this section. Such electronic publications may include
8 12 programming not originally part of the stored information,
8 13 including but not limited to search and retrieval functions.
8 14 The policies shall provide for the widest possible
8 15 distribution of these value-added electronic publications at
8 16 the lowest price practicable, which shall not be more than the
8 17 costs attributable to producing, editing, and distributing the
8 18 electronic publications.

8 19 5. Subject to section 2.42, the legislative services
8 20 agency shall determine its procurement procedures, which may
8 21 include procurement determinations based on service provider
8 22 competence, meeting of service or product specifications, and
8 23 reasonableness of price; the posting of security to accompany
8 24 a service provider proposal; the preference of Iowa-based
8 25 businesses if comparable in price; the disclosure of service
8 26 provider assignments; the inclusion of renewal options; the
8 27 imposition of liquidated damages and other penalties for
8 28 breach of any service provider requirement; and the rejection
8 29 of all service provider proposals and institution of a new
8 30 procurement process.

8 31 Sec. 6. NEW SECTION. 2E.6 SPECIAL DISTRIBUTION OF LEGAL
8 32 PUBLICATIONS == RESTRICTIONS ON FREE DISTRIBUTIONS.

8 33 1. The legislative services agency shall make free
8 34 distribution of the printed versions of the official legal
8 35 publications listed in section 2E.5, subsection 2, subject to
9 1 payment of any routine distribution costs such as but not
9 2 limited to mailing and handling costs, to the three branches
9 3 of state government, to elected county officers, to county and
9 4 city assessors, to Iowa's congressional delegation, to federal
9 5 courts in Iowa and federal judges and magistrates for Iowa,
9 6 and to state and university depository libraries, the library
9 7 of congress, and the library of the United States supreme
9 8 court. Only such officers, offices, and agencies entitled to
9 9 or receiving free copies during the fiscal year beginning July
9 10 1, 2002, and ending June 30, 2003, shall be entitled to
9 11 continue to receive free copies in subsequent years, except
9 12 that successor and new officers, offices, and agencies shall
9 13 receive a reasonable number of free copies as determined by
9 14 the legislative services agency. Such officers, offices, and
9 15 agencies shall annually review the number of copies received
9 16 in the prior year to determine if the number of copies
9 17 received can be reduced and shall submit the information in a
9 18 report to the legislative services agency. The number of
9 19 copies received, once reduced, shall not be increased to the
9 20 previous level without the express consent of the legislative
9 21 services agency.

9 22 2. Each officer, office, or agency receiving one or more
9 23 free copies of a publication under this section shall only
9 24 receive up to the number of copies indicated free at the time
9 25 of initial distribution. If an officer, office, or agency
9 26 receiving one or more free copies of a publication under this
9 27 section desires additional copies beyond the number initially
9 28 received, the officer, office, or agency must request the
9 29 additional copies and pay the normal charge for such
9 30 publication.

9 31 3. If a version of a publication provided under this
9 32 section is available in an electronic format, the legislative
9 33 services agency may establish policies providing for the
9 34 substitution of an electronic version for the printed version
9 35 of the publication, and for the amount of payment, if any,
10 1 required for the electronic publication. The payment amount
10 2 shall not be more than established pursuant to section 2E.5
10 3 for the same publication. For the Iowa administrative code

10 4 and its supplements, the legislative services agency may
10 5 provide that the distribution requirement of this section is
10 6 met by distributing relevant portions of the Iowa
10 7 administrative code or its supplements in either a printed or
10 8 electronic format.

10 9 4. Notwithstanding any provision of this section to the
10 10 contrary, the legislative services agency may review the
10 11 publication costs and offsetting sales revenues relating to
10 12 legal publications in printed formats, and may establish
10 13 policies requiring payment from persons otherwise entitled to
10 14 receive them at no cost or at a price covering distribution
10 15 costs pursuant to subsection 1. The payment amount shall not
10 16 be more than established pursuant to section 2E.5 for the same
10 17 publication.

10 18 Sec. 7. NEW SECTION. 2E.7 STATE GOVERNMENT OVERSIGHT AND
10 19 PROGRAM EVALUATION.

10 20 1. The general assembly shall independently and
10 21 intensively review and oversee the performance of state
10 22 agencies in the operation of state programs to evaluate the
10 23 efficiency and effectiveness of the state programs and to
10 24 consider alternatives which may improve the benefits of such
10 25 programs or may reduce their costs to the citizens of the
10 26 state. The legislative services agency shall provide
10 27 technical and professional support for the general assembly's
10 28 oversight responsibility.

10 29 2. The general assembly by concurrent resolution or the
10 30 legislative council may direct the legislative services agency
10 31 to conduct a program evaluation of any state agency. Upon the
10 32 passage of the concurrent resolution or receiving the
10 33 direction of the legislative council, the director of the
10 34 legislative services agency shall inform the chairpersons of
10 35 the committees responsible for appropriations of the
11 1 anticipated cost of the program evaluation and the number and
11 2 nature of any additional personnel needed to conduct the
11 3 program evaluation and shall notify the official responsible
11 4 for the program to be evaluated. The director, after
11 5 consulting with the responsible official and the entity
11 6 requesting the program evaluation, shall determine the goals
11 7 and objectives of the state agency or state program for the
11 8 purpose of the program evaluation.

11 9 3. In conducting the program evaluation, the legislative
11 10 services agency may make certain determinations including but
11 11 not limited to the following:

11 12 a. The organizational framework of the state agency, its
11 13 adequacy and relationship to the overall structure of state
11 14 government, and whether the program under the agency's
11 15 jurisdiction could be more effective if consolidated with
11 16 another program, transferred to another program, or modified,
11 17 or whether the program should be abolished.

11 18 b. Whether the state agency is conducting programs and
11 19 activities and expending funds appropriated to the state
11 20 agency in compliance with state and federal law and any
11 21 executive order of the governor, and whether statutory or
11 22 administrative rule changes are advisable.

11 23 c. Whether the state agency is conducting authorized
11 24 activities and programs pursuant to goals and objectives
11 25 established by statute or rule, specific legislative intent,
11 26 the budget, the governor, or a strategic or other long-range
11 27 plan, and whether alternatives which might produce the desired
11 28 results at a lower cost have been considered.

11 29 d. Whether the state agency is conducting programs and
11 30 activities and expending funds appropriated to the state
11 31 agency in an efficient and effective manner, has complied with
11 32 all applicable laws, and, if not, determine the causes for
11 33 such inefficiency, ineffectiveness, or noncompliance.

11 34 e. Relationships within and among other governmental
11 35 agencies and programs including financial exchanges,
12 1 coordination, inconsistent programs, and areas of duplication
12 2 or overlapping programs.

12 3 f. The productivity of the state agency's operations
12 4 measured in terms of cost-benefit relationships or other
12 5 accepted measures of effectiveness.

12 6 g. Other criteria determined by the director.

12 7 4. Upon the completion of the program evaluation and
12 8 preparation of a report on the evaluation, the legislative
12 9 services agency shall provide a copy of the report to the
12 10 governing official or board of the state agency and afford the
12 11 state agency a reasonable opportunity to respond to the
12 12 findings and recommendations of the report. The response
12 13 shall be included in the final version of the report released
12 14 to the general assembly or the legislative council. Until its

12 15 release the report shall be regarded as confidential by all
12 16 persons properly having custody of the report.

12 17 Sec. 8. NEW SECTION. 2E.8 SALES == TAX EXEMPTION.

12 18 1. The legislative services agency and its legislative
12 19 information office may sell mementos and other items relating
12 20 to Iowa history and historic sites, the general assembly, and
12 21 the state capitol, on the premises of property under the
12 22 control of the legislative council, at the state capitol, and
12 23 on other state property.

12 24 2. The legislative services agency is not a retailer under
12 25 chapter 422 and the sale of items or provision of services by
12 26 the legislative services agency is not a retail sale under
12 27 chapter 422, division IV, and is exempt from the sales tax.

12 28 Sec. 9. Section 2.9, Code 2003, is amended to read as
12 29 follows:

12 30 2.9 JOURNALS == BILLS AND AMENDMENTS.

12 31 1. a. The senate and house of representatives shall each
12 32 publish a daily journal of the transactions of their
12 33 respective bodies. The secretary of the senate and the chief
12 34 clerk of the house shall each determine the format and manner
12 35 of the journal's publication, the procurement procedures for
13 1 the journal's publication, and the journal's distribution for
13 2 their respective bodies.

13 3 b. The secretary of the senate and the clerk of the house
13 4 of representatives shall each preserve copies of the printed
13 5 daily journals of their respective bodies, as corrected,
13 6 certify to their correctness, and file them with the secretary
13 7 of state at the adjournment of each session of the general
13 8 assembly. The secretary of state shall ~~cause the journals to~~
13 9 be bound and preserved as preserve the original journals of
13 10 the senate and the house in the manner specified by the
13 11 majority leader of the senate and speaker of the house.

13 12 2. a. The senate and house of representatives shall each
13 13 publish bills and amendments of their respective bodies. The
13 14 secretary of the senate and the chief clerk of the house shall
13 15 each determine the procurement procedures for the publication
13 16 of the bills and amendments and the distribution of the bills
13 17 and amendments for their respective bodies.

13 18 b. A bill that seeks to legalize the acts of any official
13 19 or board or other official body, in regard to any matter of
13 20 public nature or for any person or persons, company, or
13 21 corporation, shall not be considered by the senate or house of
13 22 representatives until the bill is published and distributed to
13 23 members of the general assembly, and the publication shall be
13 24 without expense to the state. The senate and house shall not
13 25 order any such bill published until the secretary of the
13 26 senate or chief clerk of the house has received a deposit to
13 27 cover the cost of the publication. The newspaper publication
13 28 of such bill shall be without expense to the state, and the
13 29 bill shall not be published in a newspaper until the costs of
13 30 the newspaper publication has been paid to the secretary of
13 31 state.

13 32 Sec. 10. Section 2.42, subsections 1, 2, 11, 12, 13, 14,
13 33 15, 16, 18, and 19, Code 2003, are amended to read as follows:

13 34 1. To establish policies for the operation of the
13 35 legislative ~~service bureau, including the priority to be given~~
14 1 ~~to research requests and the distribution of research reports~~
14 2 ~~services agency.~~

14 3 2. To appoint the director of the legislative ~~service~~
14 4 ~~bureau services agency~~ for such term of office as may be set
14 5 by the council.

14 6 11. To approve the appointment of the Iowa Code editor and
14 7 the administrative code editor ~~and establish the salaries of~~
14 8 ~~the persons employed in that office.~~

14 9 12. To establish policies for the distribution of
14 10 information which is stored by the general assembly in an
14 11 electronic format, including the contents of statutes or
14 12 rules, other than value-added electronic publications as
14 13 provided in section ~~7A.22~~ 2E.5. The legislative council shall
14 14 establish payment rates that encourage the distribution of
14 15 such information to the public, including private vendors
14 16 reselling that information. The legislative council shall not
14 17 establish a price that attempts to recover more than is
14 18 attributable to costs related to reproducing and delivering
14 19 the information.

14 20 13. To establish policies with regard to the publishing of
14 21 printed and electronic versions of the Iowa administrative
14 22 code, the Iowa administrative bulletin, the Iowa Code, the
14 23 Iowa Code Supplement, and the ~~session laws~~ Iowa Acts, or any
14 24 part of those publications. The publishing policies may
14 25 include, but are not limited to: the style and format to be

14 26 used; the frequency of publication; the contents of the
14 27 publications; the numbering system to be used in the Iowa
14 28 Code, the Iowa Code Supplement, and the ~~session laws Iowa~~
~~14 29 Acts~~; the preparation of editorial comments or notations; the
14 30 correction of errors; the type of print or electronic media
14 31 and data processing software to be used; the number of printed
14 32 volumes to be published; recommended revisions of the Iowa
14 33 Code, the Iowa Code Supplement, and the ~~session laws Iowa~~
~~14 34 Acts~~; the letting of contracts for the publication of the Iowa
~~14 35 administrative code, the Iowa administrative bulletin, the~~
15 1 Iowa court rules, the Iowa Code, the Iowa Code Supplement, and
15 2 ~~session laws the Iowa Acts~~; the pricing of the publications to
15 3 which section 22.3 does not apply; access to, and the use,
15 4 reproduction, legal protection, sale or distribution, and
15 5 pricing of related data processing software consistent with
15 6 chapter 22; and any other matters deemed necessary to the
15 7 publication of uniform and understandable publications.

~~15 8 14. To establish policies for the operation of the
15 9 legislative fiscal bureau.~~

~~15 10 15. To appoint the director of the legislative fiscal
15 11 bureau for such term of office as may be set by the council.~~

~~15 12 16. To hear and act upon appeals of aggrieved employees of
15 13 the legislative service bureau, legislative fiscal bureau,
15 14 computer support bureau, services agency and the office of the
15 15 citizens' aide pursuant to rules of procedure established by
15 16 the council.~~

~~15 17 18. To establish policies for the operation of the
15 18 computer support bureau.~~

~~15 19 19. To appoint the director of the computer support bureau
15 20 for a term of office set by the council.~~

15 21 Sec. 11. Section 2.45, subsection 2, Code 2003, is amended
15 22 to read as follows:

15 23 2. The legislative fiscal committee, composed of the
15 24 chairpersons or their designated committee member and the
15 25 ranking minority party members or their designated committee
15 26 member of the committees of the house and senate responsible
15 27 for developing a state budget and appropriating funds, the
15 28 chairpersons or their designated committee member and the
15 29 ranking minority party members or their designated committee
15 30 member of the committees on ways and means, and two members,
15 31 one appointed from the majority party of the senate by the
15 32 majority leader of the senate and one appointed from the
15 33 majority party of the house by the speaker of the house of
15 34 representatives. In each house, unless one of the members who
15 35 represent the committee on ways and means is also a member of
16 1 the legislative council, the person appointed from the
16 2 membership of the majority party in that house shall also be
16 3 appointed from the membership of the legislative council. ~~The~~
~~16 4 legislative fiscal committee shall determine policies for the~~
~~16 5 legislative fiscal bureau and shall direct the administration~~
~~16 6 of performance audits and visitations, subject to the approval~~
~~16 7 of the legislative council.~~

16 8 Sec. 12. Section 2.56, Code 2003, is amended to read as
16 9 follows:

16 10 2.56 CORRECTIONAL IMPACT STATEMENTS.

16 11 1. Prior to debate on the floor of a chamber of the
16 12 general assembly, a correctional impact statement shall be
16 13 attached to any bill, joint resolution, or amendment which
16 14 proposes a change in the law which creates a public offense,
16 15 significantly changes an existing public offense or the
16 16 penalty for an existing offense, or changes existing
16 17 sentencing, parole, or probation procedures. The statement
16 18 shall include information concerning the estimated number of
16 19 criminal cases per year that the legislation will impact, the
16 20 fiscal impact of confining persons pursuant to the
16 21 legislation, the impact of the legislation upon existing
16 22 correctional institutions, community-based correctional
16 23 facilities and services, and jails, the likelihood that the
16 24 legislation may create a need for additional prison capacity,
16 25 and other relevant matters. The statement shall be factual
16 26 and shall, if possible, provide a reasonable estimate of both
16 27 the immediate effect and the long-range impact upon prison
16 28 capacity.

~~16 29 2. a. The preliminary determination of whether a bill,
16 30 joint resolution, or amendment appears to require a
16 31 correctional impact statement shall be made by the legislative
16 32 service bureau, which shall send a copy of the bill, joint
16 33 resolution, or amendment, upon completion of the draft, to the
16 34 legislative fiscal director for review, unless the requestor
16 35 specifies the request is to be confidential.~~

17 1 b. 2. a. When a committee of the general assembly reports

17 2 a bill, joint resolution, or amendment to the floor, the
17 3 committee shall state in the report whether a correctional
17 4 impact statement is or is not required.
17 5 ~~c.~~ b. The legislative ~~fiscal director~~ services agency
17 6 shall review all bills and joint resolutions placed on the
17 7 calendar of either chamber of the general assembly, as well as
17 8 amendments filed to bills or joint resolutions on the
17 9 calendar, to determine whether a correctional impact statement
17 10 is required.

17 11 ~~d.~~ c. A member of the general assembly may request the
17 12 preparation of a correctional impact statement by submitting a
17 13 request to the legislative ~~fiscal bureau~~ services agency.

17 14 3. The legislative ~~fiscal director~~ services agency shall
17 15 cause to be prepared ~~and shall approve~~ a correctional impact
17 16 statement within a reasonable time after receiving a request
17 17 or determining that a proposal is subject to this section.
17 18 All correctional impact statements approved by the legislative
17 19 ~~fiscal director~~ services agency shall be transmitted
17 20 immediately to either the chief clerk of the house or the
17 21 secretary of the senate, after notifying the sponsor of the
17 22 legislation that the statement has been prepared, for
17 23 publication ~~in the daily clip sheet~~. The chief clerk of the
17 24 house or the secretary of the senate shall attach the
17 25 statement to the bill, joint resolution, or amendment affected
17 26 as soon as it is available.

17 27 4. The legislative ~~fiscal director~~ services agency may
17 28 request the cooperation of any state department or agency or
17 29 political subdivision in preparing a correctional impact
17 30 statement.

17 31 5. A revised correctional impact statement shall be
17 32 prepared if the correctional impact has been changed by the
17 33 adoption of an amendment, and may be requested by a member of
17 34 the general assembly or be prepared upon a determination made
17 35 by the legislative ~~fiscal director~~ services agency. However,
18 1 a request for a revised correctional impact statement shall
18 2 not delay action on the bill, joint resolution, or amendment
18 3 unless so ordered by the presiding officer of the chamber.

18 4 Sec. 13. Section 2B.1, Code 2003, is amended to read as
18 5 follows:

18 6 2B.1 IOWA CODE AND ADMINISTRATIVE CODE DIVISIONS --
18 7 EDITORS.

18 8 ~~1. The Iowa Code and administrative code divisions are~~
18 9 ~~established within the legislative service bureau.~~

18 10 ~~2. 1. The director of the legislative service bureau~~
18 11 ~~services agency shall appoint the Iowa Code editor and the~~
18 12 ~~administrative code editor, subject to the approval of the~~
18 13 ~~legislative council, as provided in section 2.42. The Iowa~~
18 14 ~~Code editor and the administrative code editor shall serve as~~
18 15 ~~the heads of their respective divisions, at the pleasure of~~
18 16 ~~the director of the legislative service bureau, and subject to~~
18 17 ~~the approval of the legislative council services agency.~~

18 18 ~~3. 2. The Iowa Code and administrative code divisions~~
18 19 ~~editors are responsible for the editing, compiling, and~~
18 20 ~~proofreading of the publications they prepare, as provided in~~
18 21 ~~this chapter. The Iowa Code division editor is entitled to~~
18 22 ~~the temporary possession of the original enrolled Acts and~~
18 23 ~~resolutions as necessary to prepare them for publication.~~

18 24 Sec. 14. Section 2B.5, Code 2003, is amended to read as
18 25 follows:

18 26 2B.5 DUTIES OF ADMINISTRATIVE CODE DIVISION EDITOR.

18 27 The administrative code ~~division~~ editor shall:

18 28 1. Cause the Iowa administrative bulletin and the Iowa
18 29 administrative code to be published as provided in chapter
18 30 17A.

18 31 2. Cause the Iowa court rules to be published and
18 32 distributed, as directed by the supreme court after
18 33 consultation with the legislative council. The Iowa court
18 34 rules shall consist of all rules prescribed by the supreme
18 35 court. ~~The court rules shall be published in loose-leaf form~~
19 1 ~~and supplements shall be prepared and distributed as directed~~
19 2 ~~by the supreme court. The Iowa court rules and supplements to~~
19 3 ~~the court rules shall be priced as provided in section 7A.22~~
19 4 ~~2E.5.~~

19 5 3. Cause to be published annually ~~in pamphlet form~~ a
19 6 correct list of state officers and deputies, members of boards
19 7 and commissions, ~~judges~~ justices of the supreme court,
19 8 ~~appellate judges of the court of appeals,~~ and judges of the
19 9 district courts including district associate judges and
19 10 judicial magistrates, and members of the general assembly.
19 11 The offices of the governor and secretary of state shall
19 12 cooperate in the preparation of the list. ~~This pamphlet shall~~

~~19 13 be published as soon after July 1 as it becomes apparent that~~
~~19 14 it will be reasonably current.~~

19 15 4. Notify the administrative rules coordinator if a rule
19 16 is not in proper style or form.

19 17 5. Perform other duties as directed by the director of the
19 18 legislative ~~service bureau~~ services agency, the legislative
19 19 council, or the administrative rules review committee and as
19 20 provided by law.

19 21 Sec. 15. Section 2B.6, Code 2003, is amended to read as
19 22 follows:

19 23 2B.6 DUTIES OF IOWA CODE ~~DIVISION~~ EDITOR.

19 24 The Iowa Code ~~division editor~~ shall:

19 25 1. Submit recommendations as the Iowa Code editor deems
19 26 proper to each general assembly for the purpose of amending,
19 27 revising, codifying, and repealing portions of the statutes
19 28 which are inaccurate, inconsistent, outdated, conflicting,
19 29 redundant, or ambiguous, and present the recommendations in
19 30 bill form to the appropriate committees of the general
19 31 assembly.

19 32 2. Cause the annual ~~session laws~~ Iowa Acts to be
19 33 published, as provided in section 2B.10, including copies of
19 34 all Acts and joint resolutions passed at each session of the
19 35 general assembly.

20 1 3. Cause the Iowa Code and Iowa Code Supplement to be
20 2 published as provided in section 2B.12.

20 3 4. Perform other duties as directed by the director of the
20 4 legislative ~~service bureau~~ services agency or the legislative
20 5 council and as provided by law.

20 6 Sec. 16. Section 2B.10, subsection 5, Code 2003, is
20 7 amended to read as follows:

20 8 5. The enrolling clerks of the house and senate shall
20 9 arrange for the Iowa Code ~~division editor~~ to receive suitable
20 10 copies of all Acts and resolutions as soon as they are
20 11 enrolled.

20 12 Sec. 17. Section 2B.12, subsection 6, paragraph f, Code
20 13 2003, is amended to read as follows:

20 14 f. The Constitution of the State of Iowa, original and
20 15 codified versions.

20 16 Sec. 18. Section 2B.13, Code 2003, is amended to read as
20 17 follows:

20 18 2B.13 EDITORIAL POWERS AND DUTIES.

20 19 1. The Iowa Code editor in preparing the copy for an
20 20 edition of the Iowa Code or ~~a Iowa Code Supplement, and the~~
~~20 21 administrative code editor in preparing the copy for an~~
~~20 22 edition of the Iowa administrative code or bulletin shall not~~
20 23 alter the sense, meaning, or effect of any Act of the general
20 24 assembly, but may:

20 25 a. Correct manifestly misspelled words and grammatical and
20 26 clerical errors, including punctuation but without changing
~~20 27 the meaning, and change capitalization, spelling, and~~
20 28 punctuation for purposes of uniformity and consistency in Code
20 29 language.

20 30 b. Correct internal references to sections which are cited
20 31 erroneously or have been repealed, and amended, or renumbered.

20 32 c. Substitute the proper chapter, section, subsection, or
20 33 other statutory reference for the term "this Act" or
20 34 references to another Act of the general assembly when there
20 35 appears to be no doubt as to the proper method of making the
21 1 substitution.

21 2 d. Substitute the proper date for references to the
21 3 effective or applicability dates of an Act when there appears
21 4 to be no doubt as to the proper method of making the
21 5 substitution.

21 6 e. Correct names of agencies, officers, or other entities
21 7 which have been changed, when there appears to be no doubt as
21 8 to the proper methods method of making the corrections
21 9 correction. The Code editor shall maintain a record of the
~~21 10 corrections made under this paragraph. The record shall be~~
~~21 11 available to the public.~~

21 12 e- f. Transfer, divide, or combine sections or parts of
21 13 sections and add or amend headnotes to sections and
21 14 subsections. Pursuant to section 3.3, the headnotes are not
21 15 part of the law.

21 16 g. Change words that designate one gender to reflect both
21 17 genders when the provisions apply to both genders.

21 18 h. If any Code section or part of a Code section, or any
21 19 Act of the general assembly which is intended to be codified,
21 20 is amended by more than one Act or more than one provision in
21 21 an Act of the general assembly, and the amendments do not
21 22 expressly refer to or amend one of the other Acts or Act
21 23 provisions in question, harmonize the amendments, if possible.

~~21 24 so that effect may be given to each and incorporate the~~
~~21 25 amendments as harmonized in the Code section. If amendments~~
~~21 26 made by several Acts are irreconcilable, unless one of the~~
~~21 27 amendments repeals or strikes the language in question, the~~
~~21 28 Iowa Code editor shall codify the amendment that is latest in~~
~~21 29 date of enactment by the general assembly. If amendments made~~
~~21 30 by provisions within an Act are irreconcilable, unless one of~~
~~21 31 the amendments repeals or strikes the language in question,~~
~~21 32 the Iowa Code editor shall codify the provision listed last in~~
~~21 33 the Act. If one of the amendments repeals or strikes the~~
~~21 34 language in question, the Iowa Code editor shall codify the~~
~~21 35 amendment that repeals or strikes the language.~~

~~22 1 2. The Iowa Code editor may prepare and publish comments~~
~~22 2 deemed necessary for a proper explanation of the manner of~~
~~22 3 printing a section or chapter of the Iowa Code.~~

~~22 4 3. The Iowa Code editor, in preparing the copy for an~~
~~22 5 edition of the Iowa Code or a Code Supplement, and the~~
~~22 6 administrative code editor in preparing the copy for an~~
~~22 7 edition of the Iowa administrative code, shall edit the copy~~
~~22 8 in order that words which designate one gender are changed to~~
~~22 9 reflect both genders when the provisions of law apply to~~
~~22 10 persons of both genders.~~

~~22 11 2. The administrative code editor in preparing the copy~~
~~22 12 for an edition of the Iowa administrative code or bulletin~~
~~22 13 shall not alter the sense, meaning, or effect of any rule, but~~
~~22 14 may:~~

~~22 15 a. Correct misspelled words and grammatical and clerical~~
~~22 16 errors, including punctuation, and change capitalization,~~
~~22 17 spelling, and punctuation for purposes of uniformity and~~
~~22 18 consistency.~~

~~22 19 b. Correct references to rules or sections which are cited~~
~~22 20 erroneously or have been repealed, amended, or renumbered.~~

~~22 21 c. Correct names of agencies, officers, or other entities~~
~~22 22 when there appears to be no doubt as to the proper method of~~
~~22 23 making the correction.~~

~~22 24 d. Transfer, divide, or combine rules or parts of rules~~
~~22 25 and add or amend catchwords to rules and subrules.~~

~~22 26 e. Change words that designate one gender to reflect both~~
~~22 27 genders when the provisions apply to both genders.~~

~~22 28 f. Perform any other editorial tasks required or~~
~~22 29 authorized by section 17A.6.~~

~~22 30 3. The Iowa Code editor may, in preparing the copy for an~~
~~22 31 edition of the Iowa Code or Iowa Code Supplement, establish~~
~~22 32 standards for and change capitalization, spelling, and~~
~~22 33 punctuation in any Code provision for purposes of uniformity~~
~~22 34 and consistency in Code language. The administrative code~~
~~22 35 editor may establish standards for capitalization, spelling,~~
~~23 1 and punctuation for purposes of uniformity and consistency in~~
~~23 2 the administrative code.~~

~~23 3 4. The Iowa Code editor shall seek direction from the~~
~~23 4 senate committee on judiciary and the house committee on~~
~~23 5 judiciary when making Iowa Code or Iowa Code Supplement~~
~~23 6 changes, and the administrative code editor shall seek~~
~~23 7 direction from the administrative rules review committee and~~
~~23 8 the administrative rules coordinator when making Iowa~~
~~23 9 administrative code changes, which appear to require~~
~~23 10 substantial editing and which might otherwise be interpreted~~
~~23 11 to exceed the scope of the authority granted in this section.~~

~~23 12 5. The Iowa Code editor may prepare and publish comments~~
~~23 13 deemed necessary for a proper explanation of the manner of~~
~~23 14 printing a section or chapter of the Iowa Code. The Iowa Code~~
~~23 15 editor shall maintain a record of all of the corrections made~~
~~23 16 under subsection 1. The Iowa Code editor and the~~
~~23 17 administrative code editor shall also maintain a separate~~
~~23 18 record of the changes made under this section subsection 1,~~
~~23 19 paragraphs "b" through "h". The record records shall be~~
~~23 20 available to the public.~~

~~23 21 6. The Iowa Code editor and the administrative code editor~~
~~23 22 shall not make editorial changes which go beyond the authority~~
~~23 23 granted in this section or other law.~~

~~23 24 7. The effective date of all editorial changes in an~~
~~23 25 edition of the Iowa Code or a Iowa Code Supplement is the~~
~~23 26 effective date of the selling price Iowa Code editor's~~
~~23 27 approval of the final press proofs for the statutory text~~
~~23 28 contained within that publication as established by the~~
~~23 29 legislative council or the legislative council's designee.~~

~~23 30 The effective date of all editorial changes for the Iowa~~
~~23 31 administrative code is the date those changes are published in~~
~~23 32 the Iowa administrative code.~~

~~23 33 Sec. 19. Section 2B.17, subsections 3 and 5, Code 2003,~~
~~23 34 are amended to read as follows:~~

23 35 3. The official printed versions of the Iowa Code, Code
24 1 Supplement, and ~~session laws~~ Iowa Acts published under
24 2 authority of the state are the only authoritative publications
24 3 of the statutes of this state. ~~No other~~ Other publications of
24 4 the statutes of the state shall not be cited in the courts or
24 5 in the reports or rules of the courts. The Iowa Code editor
24 6 is the custodian of the official printed versions of the Iowa
24 7 Code, Iowa Code Supplement, and Iowa Acts and may attest to
24 8 and authenticate any portion of those official printed
24 9 versions for purposes of admitting a portion of the official
24 10 printed version in any court or office of any state,
24 11 territory, or possession of the United States or in a foreign
24 12 jurisdiction.

24 13 5. The printed version of the Iowa administrative code is
24 14 the permanent publication of administrative rules in this
24 15 state and the Iowa administrative bulletin and the Iowa
24 16 administrative code published pursuant to chapter 17A are the
24 17 official publications of the administrative rules of this
24 18 state, and are the only authoritative publications of the
24 19 administrative rules of this state. Other publications of the
24 20 administrative rules of this state shall not be cited in the
24 21 courts or in the reports or rules of the courts. The Iowa
24 22 administrative code editor is the custodian of the official
24 23 printed versions of the Iowa administrative code and the Iowa
24 24 administrative bulletin and may attest to and authenticate any
24 25 portion of those official printed versions for purposes of
24 26 admitting a portion of the official printed version in any
24 27 court or office of any state, territory, or possession of the
24 28 United States or in a foreign jurisdiction.

24 29 Sec. 20. Section 2B.21, Code 2003, is amended to read as
24 30 follows:

24 31 2B.21 AVAILABILITY OF PARTS OF THE IOWA CODE AND
24 32 ADMINISTRATIVE CODE.

24 33 The Iowa Code ~~division~~ editor and the administrative code
24 34 ~~division~~ editor, in accordance with policies established by
24 35 the legislative council, may cause parts of the Iowa Code or
25 1 administrative code to be made available for the use of public
25 2 officers and other persons. This authority shall be exercised
25 3 in a manner planned to avoid delay in the other publications
25 4 of the ~~divisions~~ editors.

25 5 Sec. 21. Section 7D.6, Code 2003, is amended to read as
25 6 follows:

25 7 7D.6 REPORT ~~FOR~~ == OFFICIAL REGISTER.

25 8 The secretary shall, as soon as practicable after January 1
25 9 of each odd-numbered year, prepare a report of the proceedings
25 10 of the executive council for the two preceding calendar years.
25 11 ~~Said~~ The report shall include a statement of:

25 12 1. The official canvass of the votes cast at the last
25 13 general election.

25 14 2. Other acts of ~~said~~ the council that are of general
25 15 interest.

25 16 ~~Said~~ The report ~~shall~~ may be published in the Iowa official
25 17 register as provided in section 2E.5.

25 18 Sec. 22. Section 7E.6, subsection 7, Code 2003, is amended
25 19 by striking the subsection.

25 20 Sec. 23. Section 8.22A, subsection 1, Code 2003, is
25 21 amended to read as follows:

25 22 1. The state revenue estimating conference is created
25 23 consisting of the governor or the governor's designee, the
25 24 director of the legislative ~~fiscal bureau~~ services agency or
25 25 the director's designee, and a third member agreed to by the
25 26 other two.

25 27 Sec. 24. Section 9F.4, Code 2003, is amended to read as
25 28 follows:

25 29 9F.4 PUBLICATION ~~IN~~ == OFFICIAL REGISTER.

25 30 The ~~state printing administrator~~ shall legislative services
25 31 agency may publish said the federal census report ~~and~~
25 32 certificate aforesaid in full in each copy of the Iowa
25 33 official register as provided in section 2E.5.

25 34 Sec. 25. Section 9F.5, Code 2003, is amended to read as
25 35 follows:

26 1 9F.5 EVIDENCE.

26 2 ~~Said~~ The certified census records in the office of the
26 3 secretary of state, ~~and said authorized publications,~~
26 4 ~~including the certificates attached thereto,~~ shall be
26 5 competent evidence of all matters therein contained.

26 6 Sec. 26. Section 15A.9, subsection 11, Code 2003, is
26 7 amended by striking the subsection.

26 8 Sec. 27. Section 17A.4, Code 2003, is amended by adding
26 9 the following new subsection:

26 10 NEW SUBSECTION. 2A. Any notice of intended action or rule

26 11 filed without notice pursuant to subsection 2, which
26 12 necessitates additional annual expenditures of at least one
26 13 hundred thousand dollars or combined expenditures of at least
26 14 five hundred thousand dollars within five years by all
26 15 affected persons, including the agency itself, shall be
26 16 accompanied by a fiscal impact statement outlining the
26 17 expenditures. The agency shall promptly deliver a copy of the
26 18 statement to the legislative services agency. To the extent
26 19 feasible, the legislative services agency shall analyze the
26 20 statement and provide a summary of that analysis to the
26 21 administrative rules review committee. If the agency has made
26 22 a good faith effort to comply with the requirements of this
26 23 subsection, the rule shall not be invalidated on the ground
26 24 that the contents of the statement are insufficient or
26 25 inaccurate.

26 26 Sec. 28. Section 17A.6, subsection 1, unnumbered paragraph
26 27 1, Code 2003, is amended to read as follows:

26 28 The administrative code editor shall cause the Iowa
26 29 administrative bulletin to be published in ~~a printed form~~
26 30 accordance with section 2.42 at least every other week, unless
26 31 the administrative code editor and the administrative rules
26 32 review committee determine that an alternative publication
26 33 schedule is preferable. ~~An electronic version of the Iowa~~
~~26 34 administrative bulletin may also be published as provided in~~
~~26 35 section 2.42.~~ The Iowa administrative bulletin shall contain
27 1 all of the following:

27 2 Sec. 29. Section 17A.6, subsections 2, 3, and 5, Code
27 3 2003, are amended to read as follows:

27 4 2. Subject to the direction of the administrative rules
27 5 coordinator, the administrative code editor shall cause the
27 6 Iowa administrative code to be compiled, indexed, and
27 7 published in accordance with section 2.42 in a ~~printed loose-~~
~~27 8 leaf~~ form containing all rules adopted and filed by each
27 9 agency. The administrative code editor further shall cause
27 10 ~~loose-leaf~~ supplements to the Iowa administrative code to be
27 11 published as determined by the administrative rules
27 12 coordinator and the administrative rules review committee,
27 13 containing all rules filed for publication in the prior time
27 14 period. The supplements shall be in such form that they may
27 15 be inserted in the appropriate places in the permanent
27 16 compilation. The administrative rules coordinator shall
27 17 devise a uniform numbering system for rules and may renumber
27 18 rules before publication to conform with the system. ~~An~~
~~27 19 electronic version of the Iowa administrative code may also be~~
~~27 20 published as provided in section 2.42.~~

27 21 3. The administrative code editor may omit or cause to be
27 22 omitted from the Iowa administrative code or bulletin any rule
27 23 the publication of which would be unduly cumbersome, expensive
27 24 or otherwise inexpedient, if the rule in ~~printed or~~ processed
27 25 form is made available on application to the adopting agency
27 26 at no more than its cost of reproduction, and if the Iowa
27 27 administrative code or bulletin contains a notice stating the
27 28 specific subject matter of the omitted rule and stating how a
27 29 copy of the omitted rule may be obtained.

27 30 The administrative code editor shall omit or cause to be
27 31 omitted from the Iowa administrative code any rule or portion
27 32 of a rule nullified by the general assembly pursuant to
27 33 Article III, section 40, of the Constitution of the State of
27 34 Iowa.

27 35 5. The Iowa administrative code, its supplements, and the
28 1 Iowa administrative bulletin shall be made available upon
28 2 request to all persons who subscribe to any of them ~~through~~
~~28 3 the state printing division. Copies of this code so made~~
~~28 4 available shall be kept current by the division.~~

28 5 Sec. 30. Section 17A.8, subsection 10, Code 2003, is
28 6 amended by striking the subsection.

28 7 Sec. 31. Section 18.3, subsection 3, Code 2003, is amended
28 8 to read as follows:

28 9 3. Administering the provisions of sections 18.26 to
28 10 ~~18.103~~ 18.100.

28 11 Sec. 32. Section 18.28, Code 2003, is amended to read as
28 12 follows:

28 13 18.28 "PRINTING" DEFINED.

28 14 As used in chapter 7A and sections 18.26 to ~~18.103~~ 18.100,
28 15 "printing" means the reproduction of an image from a printing
28 16 surface made generally by a contact impression that causes a
28 17 transfer of ink, the reproduction of an impression by a
28 18 photographic process, or the reproduction of an image by
28 19 electronic means and shall include binding and may include
28 20 material, processes, or operations necessary to produce a
28 21 finished printed product, but shall not include binding,

28 22 rebinding or repairs of books, journals, pamphlets, magazines
28 23 and literary articles by any library of the state or any of
28 24 its offices, departments, boards and commissions held as a
28 25 part of their library collection.

28 26 Sec. 33. NEW SECTION. 18.28A LEGISLATIVE BRANCH
28 27 EXCLUDED.

28 28 This chapter does not apply to the printing contracts or
28 29 procedures of the legislative branch.

28 30 Sec. 34. Section 18.30, Code 2003, is amended to read as
28 31 follows:

28 32 18.30 CONTRACTS WITH STATE INSTITUTIONS.

28 33 The director may, without advertising for bids, enter into
28 34 contracts or make provision for doing any of the work coming
28 35 under the provisions of chapter 7A and sections 18.26 to
29 1 ~~18.103~~ 18.100 at any school or institution under the ownership
29 2 or control of the state. The work shall be done under
29 3 conditions substantially the same as those provided for in the
29 4 case of contracts with individuals and the same standard of
29 5 quality or product shall be required.

29 6 Sec. 35. Section 18.50, Code 2003, is amended to read as
29 7 follows:

29 8 18.50 EMERGENCY CONTRACTS.

29 9 The director may at any time award a separate printing
29 10 contract or may authorize an assistant to award a separate
29 11 printing contract for any work and materials or printing
29 12 supplies within the provisions of chapter 7A and sections
29 13 18.26 to ~~18.103~~ 18.100 which are not included in current
29 14 printing contracts or which cannot properly be made the
29 15 subject of a general contract. A separate printing contract
29 16 must have been duly solicited by the director from vendors
29 17 engaged in the kind of work under consideration who have
29 18 indicated a desire to bid on the class of work to be
29 19 performed.

29 20 Sec. 36. Section 18.59, subsection 5, Code 2003, is
29 21 amended to read as follows:

29 22 5. To avoid duplication, overlapping, and redundancy of
29 23 pamphlets and publications, other than legislative branch
29 24 publications and official documents and books and publications
29 25 authorized by ~~chapters 2B and~~ chapter 7A, to examine the
29 26 contents of proposed pamphlets or publications and to approve
29 27 or disapprove such pamphlets or publications only for such
29 28 reason; and to effectuate this power, the director shall adopt
29 29 rules for its administration.

29 30 Sec. 37. Section 18.75, subsections 6 and 8, Code 2003,
29 31 are amended to read as follows:

~~29 32 6. Have legal custody of all Codes, session laws, books of
29 33 annotations, tables of corresponding sections, publications,
29 34 except premium lists published by the Iowa state fair board,
29 35 containing reprints of statutes or administrative rules, or
30 1 both, reports of state departments, and reports of the supreme
30 2 court, and sell, account for, and distribute the same as
30 3 provided by law. However, the legislative service bureau
30 4 shall solicit and process orders for the distribution of all
30 5 printed Codes, session laws, administrative codes and
30 6 bulletins, court rules, and the state roster.~~

30 7 8. By November 1 of each year supply a report which
30 8 contains the name, gender, county, or city of residence when
30 9 possible, official title, salary received during the previous
30 10 fiscal year, base salary as computed on July 1 of the current
30 11 fiscal year, and traveling and subsistence expense of the
30 12 personnel of each of the departments, boards, and commissions
30 13 of the state government except personnel who receive an annual
30 14 salary of less than one thousand dollars. The number of the
30 15 personnel and the total amount received by them shall be shown
30 16 for each department in the report. All employees who have
30 17 drawn salaries, fees, or expense allowances from more than one
30 18 department or subdivision shall be listed separately under the
30 19 proper departmental heading. On the request of the
30 20 administrator, the head of each department, board, or
30 21 commission shall furnish the data covering that agency. The
30 22 report shall be distributed upon request ~~without charge~~
30 23 electronically to each caucus of the general assembly, the
30 24 ~~legislative service bureau, the legislative fiscal bureau~~
30 25 services agency, the chief clerk of the house of
30 26 representatives, and the secretary of the senate. Copies of
30 27 the report shall be made available to other persons in ~~both~~
~~30 28 print or~~ electronic medium, upon payment of a fee if
~~30 29 appropriate~~, which shall not exceed the cost of providing the
30 30 copy of the report. Sections 22.2 through 22.6 apply to the
30 31 report. All funds from the sale of the report shall be
30 32 deposited in the general fund. Requests for publications

30 33 shall be handled only upon receipt of postage by the
30 34 administrator.

30 35 Sec. 38. Section 22.3A, subsection 2, paragraph a, Code
31 1 2003, is amended to read as follows:

31 2 a. The amount charged for access to a public record shall
31 3 be not more than that required to recover direct publication
31 4 costs, including but not limited to editing, compilation, and
31 5 media production costs, incurred by the government body in
31 6 developing the data processing software, and preparing the
31 7 data processing software for transfer to the person. The
31 8 amount shall be in addition to any other fee required to be
31 9 paid under this chapter for the examination and copying of a
31 10 public record. If a person accesses a public record stored in
31 11 an electronic format that does not require formatting,
31 12 editing, or compiling to access the public record, the charge
31 13 for providing the accessed public record shall not exceed the
31 14 reasonable cost of accessing that public record. The
31 15 government body shall, if requested, provide documentation
31 16 which explains and justifies the amount charged. This
31 17 paragraph shall not apply to any publication for which a price
31 18 has been established pursuant to another section, including
31 19 section ~~7A.22~~ 2E.5.

31 20 Sec. 39. Section 25B.5, Code 2003, is amended to read as
31 21 follows:

31 22 25B.5 COST ESTIMATES == NOTATION IN ACTS.

31 23 1. When a bill or joint resolution is requested, the
31 24 legislative ~~service bureau~~ services agency shall make an
31 25 initial determination of whether the bill or joint resolution
31 26 may impose a state mandate. If a state mandate may be
31 27 included, that fact shall be included in the explanation of
31 28 the bill or joint resolution.

31 29 2. If a bill or joint resolution may include a state
31 30 mandate, ~~a copy of the prepared draft shall be sent to the~~
31 31 legislative ~~fiscal bureau~~ which services agency shall
31 32 determine if the bill or joint resolution contains a state
31 33 mandate. If the bill or joint resolution contains a state
31 34 mandate and is still eligible for consideration during the
31 35 legislative session for which the bill or joint resolution was
32 1 drafted, the legislative ~~fiscal bureau~~ services agency shall
32 2 prepare an estimate of the amount of costs imposed.

32 3 3. If a bill or joint resolution containing a state
32 4 mandate is enacted, unless the estimate already on file with
32 5 the house of origin is sufficient, the legislative ~~fiscal~~
~~32 6 bureau~~ services agency shall prepare a final estimate of
32 7 additional local revenue expenditures required by the state
32 8 mandate and file the estimate with the secretary of state for
32 9 inclusion with the official copy of the bill or resolution to
32 10 which it applies. A notation of the filing of the estimate
32 11 shall be made in the Iowa Acts of the general assembly
32 12 published pursuant to chapter 2B.

32 13 Sec. 40. Section 97D.4, subsection 4, unnumbered paragraph
32 14 2, Code 2003, is amended to read as follows:

32 15 Administrative assistance shall be provided by the
32 16 legislative ~~service bureau and the legislative fiscal bureau~~
32 17 services agency.

32 18 Sec. 41. Section 256.53, Code 2003, is amended to read as
32 19 follows:

32 20 256.53 STATE PUBLICATIONS.

32 21 Upon issuance of a state publication in any format, a state
32 22 agency shall deposit with the division at no cost to the
32 23 division, seventy-five copies of the publication or a lesser
32 24 number if specified by the division, except as provided in
32 25 section 2E.6.

32 26 Sec. 42. Section 331.502, subsection 3, Code 2003, is
32 27 amended by striking the subsection.

32 28 Sec. 43. Section 602.1204, subsection 3, Code 2003, is
32 29 amended to read as follows:

32 30 3. The supreme court shall compile and publish all
32 31 procedures and directives relating to the supervision and
32 32 administration of the internal affairs of the judicial branch,
32 33 and shall distribute a copy of the compilation and all
32 34 amendments to each operating component of the judicial branch.
32 35 ~~Copies also shall be distributed to agencies referred to in~~
~~33 1 section 18.97 upon request.~~

33 2 Sec. 44. Sections 2.14, 2.16, 2.35, 2.45, 2.61, 2D.3, 3.2,
33 3 7A.11, 15E.111, 23A.2A, 28B.1, 28B.4, 42.2, 42.3, 42.6, 49.7,
33 4 275.23A, 331.209, and 602.4202, Code 2003, are amended by
33 5 striking from the sections the words "legislative service
33 6 bureau" and "bureau" when referring to the legislative service
33 7 bureau and inserting in lieu thereof the words "legislative
33 8 services agency".

33 9 Sec. 45. Sections 2.46, 2.51, 2B.10, 7E.5A, 8.23, 8.35A,
33 10 8.44, 8.46, 8.55, 8.61, 8.62, 8E.209, 8E.301, 12E.13, 14B.103,
33 11 14B.105, 14B.206, 15.113, 15.343, 18.16A, 18.16B, 80E.1,
33 12 97B.17, 135.11, 161D.8, 161D.13, 217.12, 237.18, 255.24A,
33 13 260C.66, 261.22, 261.25, 262.64A, 262A.13, 263A.11, 263A.13,
33 14 266.39D, 266.39F, 292.2, 294A.19, 307.20, 307.40, 307.46,
33 15 307.47, 327J.3, 384.3, 403.23, 404A.5, 421.17, 422.72,
33 16 455B.183A, 455G.4, 505.7, 524.207, 533.67, 602.1301, 602.1302,
33 17 602.8108, 904.116, 904.706, 905.6, 905.8, and 906.5, Code
33 18 2003, are amended by striking from the sections the words
33 19 "legislative fiscal bureau" and inserting in lieu thereof the
33 20 words "legislative services agency".

33 21 Sec. 46. CODE EDITOR'S DIRECTIVE. The Code editor shall
33 22 correct any references to the legislative services agency as
33 23 the successor to the legislative service bureau, legislative
33 24 fiscal bureau, and computer support bureau, including
33 25 grammatical constructions, anywhere else in the Iowa Code, in
33 26 any bills awaiting codification, and in any bills enacted by
33 27 the Eightieth General Assembly, 2003 Regular Session.

33 28 Sec. 47. Sections 2.48, 2.49, 2.50, 2.52, 2.55, 2.55A,
33 29 2.58, 2.59, 2.60, 2.64, 2.65, 2.66, 2.67, 2.100, 2.101, 2.102,
33 30 2.103, 2.104, 7A.15, 7A.16, 7A.17, 7A.18, 7A.19, 7A.20, 7A.21,
33 31 7A.22, 7A.25, 7A.26, 9.6, 18.86, 18.87, 18.88, 18.89, 18.90,
33 32 18.95, 18.96, 18.97, 18.97A, 18.101, 18.102, and 18.103, Code
33 33 2003, are repealed.

33 34 Sec. 48. PREVAILING PROVISIONS. The provisions of this
33 35 Act regarding the publication and distribution of the Iowa
34 1 official register shall prevail over any conflicting
34 2 provisions of any other Act enacted by the Eightieth General
34 3 Assembly, 2003 Regular Session.

34 4 Sec. 49. EFFECTIVE DATE. This Act, being deemed of
34 5 immediate importance, takes effect upon enactment.

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CHRISTOPHER C. RANTS
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 636, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2003

THOMAS J. VILSACK
Governor